



AMENDMENT

RECEIVED
OCT 22 2002
TC 1103 MAIL ROOM

In the claims

Please cancel claim 2 without prejudice as being drawn to a non-elected invention.

Please enter new claim 3.

B¹
3. The waterborne pigmented paper or paperboard coating composition of claim 1 wherein said pigment comprises 70% to 100%, by weight of said pigment, calcium carbonate.

REMARKS

In the above-identified Office Action the examiner rejected claim 1 under 35 USC 102(b) as anticipated by or, in the alternative, under 35 USC 103(a) as obvious over JP 3-340774 to Hoshino, et al. ("Hoshino").

Claim 1 is directed to a waterborne high calcium carbonate pigmented paper or paperboard coating composition including a bimodal emulsion polymer having polymeric particles of at least two different sizes, at least one population of which, when dry, contains a void.

New dependent claim 3 has support in the Specification at page 3, lines 28-31.

35 USC 102(b) REJECTION OF CLAIM 1 OVER HOSHINO

The examiner has rejected claim 1 under 35 USC 102(b) as anticipated by Hoshino because Hoshino discloses a mixture of inorganic pigment such as CaCO₃ and hollow emulsion polymer particles having a bimodal size distribution. As the examiner points out, Hoshino's disclosed ranges of the amount of polymer particles relative to pigment, the diameter of the larger